

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

TRITON TECH OF TEXAS, LLC, )  
Plaintiff, )  
v. )  
NINTENDO OF AMERICA INC.; ) Civil Action No. 2:10-cv-328-JRG  
APPLE INC.; )  
XSENS NORTH AMERICA, INC.; AND )  
HILLCREST LABORATORIES, INC., )  
Defendants. )  
)

**ORDER**

Having considered the Joint Motion for Entry of Dismissal Order filed by Plaintiff Triton Tech of Texas, LLC and Defendant Apple Inc., and for good cause shown, IT IS HEREBY ORDERED THAT:

Plaintiff's claims against Apple are each hereby DISMISSED WITH PREJUDICE. Apple's affirmative defenses and counterclaims are hereby DISMISSED WITHOUT PREJUDICE. Plaintiff and Apple shall each bear its own costs and attorneys fees.

**So ORDERED and SIGNED this 10th day of December, 2012.**

  
RODNEY GILSTRAP  
UNITED STATES DISTRICT JUDGE